

**IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF CALIFORNIA**

RISHARDO LAWRENCE,

Plaintiff,

v.

GAVIN NEWSOM, et al.,

Defendants.

No. 2:22-CV-1975-WBS-DMC-P

**ORDER**

Plaintiff, a prisoner proceeding with retained counsel, brings this civil rights action pursuant to 42 U.S.C. § 1983. The matter was referred to a United States Magistrate Judge pursuant to Eastern District of California local rules.

On July 24, 2023, the Magistrate Judge filed findings and recommendations herein which were served on the parties and which contained notice that the parties may file objections within the time specified therein. Timely objections to the findings and recommendations have been filed.


In accordance with the provisions of 28 U.S.C. § 636(b)(1)(C) and Local Rule 304(f), this Court has conducted a de novo review of this case. Having carefully reviewed the entire file, the Court finds the findings and recommendations to be supported by the record and by proper analysis.

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Accordingly, IT IS HEREBY ORDERED as follows:

1. The findings and recommendations filed July 2, 4, 2023, ECF No. 23, are adopted in full.
2. Defendants' unopposed motion to dismiss, ECF No. 20, is GRANTED.
3. This action is DISMISSED as against defendant Benavidez with prejudice.
4. Plaintiff's equal protection claim is DISMISSED with prejudice.
5. Plaintiff's state law claims are DISMISSED with leave to amend.
6. Plaintiff's due process claim against Defendant Newsom is DISMISSED with leave to amend.
7. Plaintiff is given 30 days from the date of this order to file a first amended complaint within if he can do so consistent with this order and the findings and recommendations of the Magistrate Judge.
8. This matter is referred back to the Magistrate Judge for further proceedings consistent with this order.

Dated: March 21, 2024

  
WILLIAM B. SHUBB  
UNITED STATES DISTRICT JUDGE